

THE SEMI-WEEKLY TELEGRAPH, ST. JOHN, N. B. WEDNESDAY, APRIL 17, 1907

THAW STUNNED AT THE RESULT

Falls Limp at Wife's Side When Verdict is Announced

Prisoner's Family Dumbfounded—Jerome Says He Will Try Him Again, But Case Must Take Its Turn After Long List of Homicides—Jurymen Tell of Stormy Arguments During Their 48 Hours Deliberations and How the Ballots Stood.

New York, April 12.—Hopelessly divided—seven for a verdict of guilty of murder in the first degree and five for acquittal on the grounds of insanity—the jury, which since the 23rd of last January has been trying Harry K. Thaw, reached today, after forty seven hours and eight minutes of deliberation, a decision that it could not possibly agree upon a verdict. The twelve men were promptly discharged by Justice Fitzgerald, who declared that he, too, believed the case was hopeless. Thaw was remanded to the Tombs without bail to await a second trial on the charge of having murdered Stanford White, the noted architect.

When this new trial would take place no one connected with the case could express an opinion. District Attorney Jerome declared that there were many other persons accused of homicide awaiting trial and Thaw would have to take his turn with the rest. As to a possible change of venue both the district attorney and counsel will have a conference tomorrow with the prisoner to decide upon their next step. They may make an application to the court for a change of venue to a more convenient place. Mr. Jerome said he would strenuously oppose it. He added the belief that as seven of the jurors had voted for "guilty" his opposition probably would be successful. In that event Thaw has another long summer before him in the city prison, for his case on the already crowded criminal calendar cannot possibly be reached until some time next fall.

The scenes attending the announcement by the jury of its inability to agree upon any sort of verdict were robbed of any theatricality by the general belief that after their long deliberation and the reports of a wide division of sentiment, the jurors could not expect other report than one of a disagreement.

Thaw Sank Limp

Thaw, surrounded by the members of his family—the devoted aged mother, the pale young wife, his titled sister, Countess of Yarmouth, Mrs. Geo. Carnegie, and his two brothers—was led away from the courtroom, Thaw sank limply into his chair when Foreman Denning B. Smith, tried to cheer him as best he could by saying that he believed he would now be admitted to bail and that a second jury would surely set him free. The sisters and the brothers, pale and well nigh exhausted by their tedious, nerve-wrecking wait for a verdict, smiled wanly as they saw their brother being led to the Tombs. They were permitted to speak with him for a few minutes to bid him good cheer, before he crossed the "Bridge of Sighs" to the cell in the prison, which, until a few minutes before, he had hoped that he was about to quit forever.

Few Heard the Verdict

Outside the big square criminal courts building, only a few hundred curious onlookers were gathered. The verdict was not heard by the general public. The jury had been in the day but police reinforcements had arrived with instructions to keep the public out of the building. The jury was in the building in the galleries overlooking the court and gathered along the corridor, where they were permitted to pass by the vigilant police guards. The court room itself, was half empty. Only the necessary jurors, the court, the attorneys and a few favored friends were allowed to enter to hear the verdict. Justice Fitzgerald held a demonstration of some sort should the general public be admitted and he gave strict orders against this.

It was 4:25 o'clock when the jury filed into the court room. The afternoon was dark and rainy and the electric bulbs in the ornamental chandeliers had been glowing for an hour or more. Harry Thaw had been waiting for a summons to face the jury since shortly after 10 o'clock this morning. He felt that today would bring a crisis and that either a verdict would be reached or Justice Fitzgerald would discharge the jurors from any further consideration of the case. This was the general belief and the only remarkable feature in which the jurors continued at their task and declined to ask to be excused. Justice Fitzgerald had determined to let them fight it out among themselves until they should call for assistance. This appeal came at 4:15 o'clock and then followed a hunt for counsel both District Attorney Jerome and the attorneys for the defense having temporarily left the building.

When they arrived Justice Fitzgerald notified them that a disagreement seemed inevitable. Everyone connected with the case seemed willing to accept the situation as offering no hope and then followed the brief court room proceedings at which the disagreement was publicly announced, the jury dismissed and the prisoner remanded.

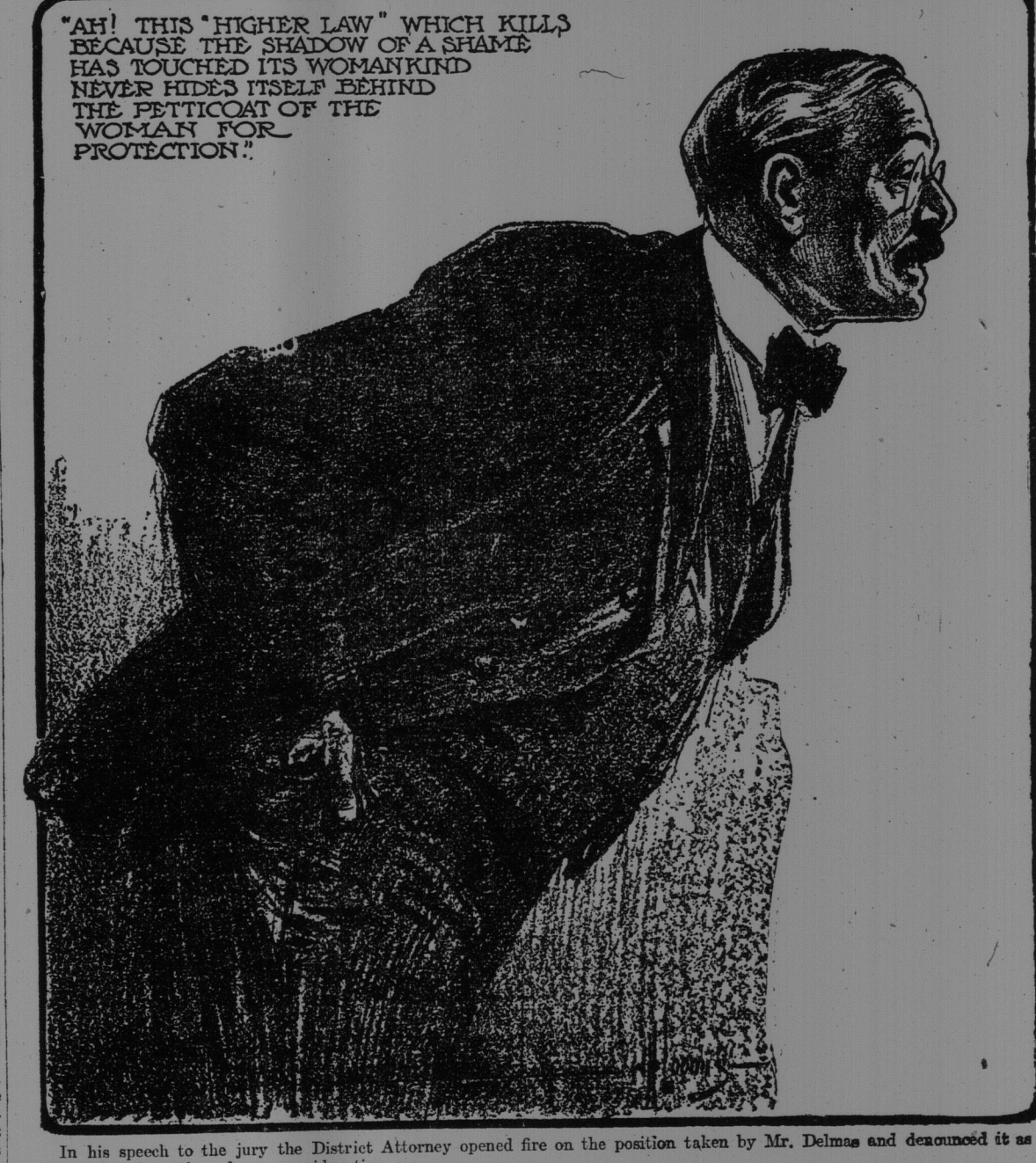
Thaw's Opinion of Jury

Entering the court room at 4:25, the jury was free eight minutes later. Thaw, who had returned to the Tombs prepared and gave out the following statement: "I believe that every man in the jury possessed average intelligence; excepting possibly Mr. Bolton, comprehended the weight of evidence and balances it for acquittal. All my family bid me good-bye with courage. I trust we may all keep well."

To his attorneys Thaw said he was deeply disappointed. "But I could hardly expect anything else in view of the events of the past few days," he added.

Earlier in the day Thaw had given out another statement in which he said he had desired that his fate should be judged

Mr. Jerome as He Denounced the "Unwritten Law"



In his speech to the jury the District Attorney opened fire on the position taken by Mr. Delme and denounced it as a subterfuge, unworthy of any consideration.

2, who from the very first ballot adhered to his belief that Harry Thaw was guilty of murder in the first degree.

"Equally as consistent in their belief to the contrary were Jurors Pink, Harney, Fraser and Steele, who from the very outset decided that in their opinion Thaw was not guilty. These four men, however, slightly changed their belief on the last ballot when, in the hope of winning over their companions, they conceded to acquit the defendant on the ground of insanity."

The sessions of the jury were not altogether pleasant and peaceful. There were many stormy arguments, and at one charge of inconsistency and breaking faith with the orders of the court were made; but at no point of the deliberations did the foreman lose control of the situation. He successfully held the twelve men in check and was the first to suggest that, when it was seen that there was no possibility of a verdict being reached, that they report the matter to Justice Fitzgerald and leave the further disposition of the case to his judgment.

Mr. O'Reilly, of Thaw's counsel, tonight said: "There was plenty of disagreement between the opinions expressed by the jurors. We considered insanity in many phases but did not give the subject of wronged womanhood any lengthy debate, in fact, scarcely any. It was touched upon and briefly dropped. The question which was considered at unusual length was whether Thaw was insane at the moment he shot White, and whether at the time he was responsible for the crime."

Mr. O'Reilly, of Thaw's counsel, tonight said: "I confess that I am disappointed. I really expected an acquittal. Perhaps, now in view of the verdict, Mr. Delme made a mistake in using the term 'dementia Americana.' But he made an honest effort and it might have been a mistake of judgment."

Attorney Gleason said: "The disagreement of the jury was disappointing, of course. It was unfortunate, the character upon the unwritten law characterized as 'dementia Americana.'"

Mrs. William Thaw, mother of the prisoner, sent out the following message in response to requests for a statement, tonight: "Mrs. Thaw has nothing to say. She has made no statement since she has been in New York, neither will she make any."

Mrs. Evelyn Nesbit Thaw said: "I can't understand it. I don't know why they could not come to some agreement."

A reporter said to Mrs. Thaw: "The jury stood seven to five for conviction. 'I don't believe it,' she cried emphatically. They ought to have acquitted on the evidence."

When the disagreement of the jury was announced in court Thaw turned even paler than he has been for the past several days and when he was remanded back to the city prison at the suggestion of District Attorney Jerome, he hung his head dejectedly.

Up to the very last, Thaw had hoped that the twelve men would firmly agree upon a verdict of guilty.

The district attorney also stated tonight that he considered it would be his duty to put Thaw on trial again.

"There are thirty-four other homicide cases in my office," he said, "and fourteen of these are murders in the Tombs and they must all have their day in court. The Thaw case must take its turn."

St. Martins Notes

St. Martins, April 12.—The schooner Harry Morris and Golden Rule, both from St. John, with general cargo, are discharging here. On Friday evening a very successful tea was given in the vestry of the Baptist church by the ladies of the sewing circle. The funds to be devoted to the painting of the church.

A very large and enthusiastic public meeting addressed by the five candidates for municipal honors was held in the Masonic hall on Saturday evening. Good speeches were delivered by all the candidates and the considerable cross-firing indulged in by the candidates was enjoyed by the good natured assembly. The chair was occupied by Mr. Riddick, M. P. P. The meeting broke up near midnight.

Capt. George Stephens left on Saturday for Boston.

Mrs. Annie Dimock, who has been spending the winter in New York, arrived here on Saturday.

George Smith, who has been in Boston for some time is visiting his old home.

Charles L. Northrup, while at Rocky Point (R. I.), recently, secured an enormous clam, measuring seven inches in length and nine inches in circumference. The clam weighed three-quarters of a pound.

SALVATION ARMY'S FINEST IMMIGRANTS ARRIVE AT HALIFAX

About All of the 1,125 Adults Are Artisans and Have Positions Awaiting Them.

Halifax, N. S., April 14.—The Dominion line steamer Southwark, the last Salvation Army steamer to come to Halifax this season, arrived this afternoon with 1,365 immigrants. The steamer had an uneventful voyage. The new comers are all English with the exception of a party of Dutch people numbering about 35. The immigrants are in charge of Colonel Rathwell, Staff Captain Patterson and Captain Vianella. The local Salvation Army band was on the pier when the Southwark docked.

The passengers are the finest looking class of settlers landed at Halifax this season. There were 1,125 adults, 225 children under fourteen years of age, and fifteen infants. Colonel Rathwell says he has seen nearly all the Salvation Army people who have come to Canada since they started this immigration scheme, but this ship load surpassed them all in quality. Nearly every man in the party is an artisan and has a position waiting for him.

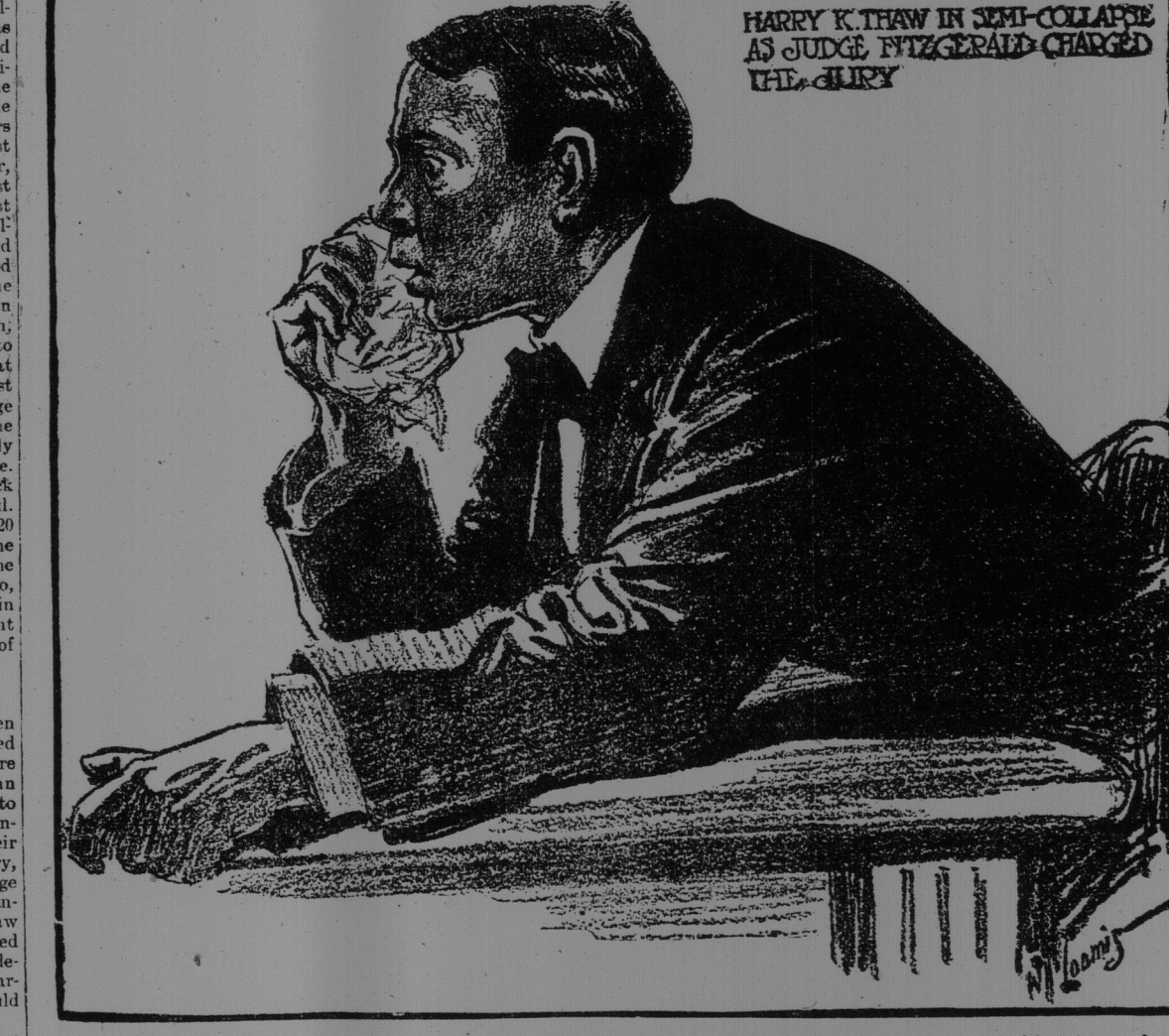
"England can ill afford to lose the people the Salvation Army is now bringing to Canada," said Colonel Rathwell.

CASTORIA For Infants and Children The Kind You Have Always Bought

Bears the Signature of Dr. J. C. Watson

The village of Weston, in Hertfordshire, with a population of 800, has been free from a police conviction for more than two years.

Stanford White's Slayer Gives Way to Spasm of Fear



Harry Thaw, as he listened to Judge Fitzgerald's charge to the jury, appeared to be in a state of abject terror, leaning on his hands and staring at the Court as the instructions were handed down.

Lean, who, until recently, has been pastor of Immanuel Baptist church in this town, and who is now in the west, left this week for Sackville (N. B.), to spend a short time and from there she will go to Portage La Prairie to join her husband. On Friday evening Mrs. McLean was presented with a handsome silver tea service, accompanied by an appreciative address, by the congregation of the Baptist church. On Saturday Mrs. E. J. Anderson gave an at home in her honor and in the evening, from 7 to 8 o'clock, Mrs. McLean and Mrs. Anderson entertained the choir of the church. Mrs. McLean will be greatly missed in musical circles, as she is an accomplished pianist. Mrs. E. E. Daley, wife of the new pastor of the church, assisted at the at home.

Mrs. S. V. Mack is entertaining a few of her friends at her home tomorrow evening.

Miss Florence Burns is very seriously ill at the home of her sister, Mrs. G. B. Dakin.

Mrs. J. W. Aikens and young son, Carl, are guests with Mrs. J. E. Barreau.

Mrs. Whidden, of Antigonish, is visiting her daughter, Mrs. J. E. Sponagle.

Mrs. W. P. King has her sister, Miss Julia Whitman, of Canoe, with her for a visit.

Rev. John McLean, D. D., editor of the Wesleyan, Halifax, spent Sabbath in Truro.

Miss Lucy M. Bailey and Mr. Frank Hannam were married recently at the residence of Rev. D. V. Warner, Quen street. The bride wore a costume of gray with satin trimmings.

At the academy hall last Saturday evening Mr. W. R. Campbell, the retiring principal, was presented with an address from the students, accompanied by a handsome roll top desk. In his reply Mr. Campbell spoke very highly of the academy students and said that he greatly appreciated the beautiful gift.

Miss Nellie McLellan has gone to Amherst, where she will have a position for a time in the post office, and will then go to Springfield for a visit.

Mrs. A. C. Page left last week to visit her niece, Mrs. Daniel O'Day, in New York.

Ven. Archdeacon Kaulback and wife have returned from Bermuda, where they have been spending the winter. The friends of the archdeacon are glad to know that his health is improved.

Mr. A. S. Black has gone on a western tour and intends visiting Riverside, Southern California, where Mrs. Black and children have been spending the winter. The whole family will return together.

Miss Loring, of Meegan, has been visiting Mrs. J. G. Bigney.

Mr. and Mrs. W. S. Wythe have returned to Mulgrave after a short visit with the latter's mother, Mrs. J. E. Eaton.

Mr. Douglas Cummings has gone to New York.

Mrs. E. J. White, of Halifax, is a guest with her friend, Mrs. J. E. Barreau.

Miss Clara Faulkner has returned from a short visit in Amherst.

Mr. J. S. McVicar, of the Amherst academy staff, spent Easter in Truro.

WOLFVILLE

Wolfville, N. S., April 13.—Dr. Benjamin Randall, of Harvard University, is in Cornwallis, where he came last Saturday to attend the funeral of his mother, Mrs. Ebenzer Randall.

The baccalaureate sermon at Acadia will be preached this day by the Rev. Charles A. Eaton, of Cleveland (O.). Dr. Eaton is a graduate of Acadia and is a very eloquent and pleasing speaker.

Miss Lillian Bishop, who has been in India for seven years as a missionary for the American Foreign Mission Board, has returned to her home at Greenwich for her vacation.

Herman E. DoWitt, of Montreal, is spending his vacation at the home of his father, Dr. G. E. DoWitt, of Wolfville.

Miss Marian DoWitt, of Wolfville, has been spending a few weeks in Wolfville, the guest of her cousin, Miss Constance Higgins.

William B. Wagner, son of George Wagner, of this town, died at Beverly (Mass.) last week, aged twenty years.

The Rev. Percy Raymond, of Berwick, is the guest of the Rev. W. L. Archibald, of Wolfville.

Mr. and Mrs. William A. Chipman, who have been spending the past year touring Europe, are expected home this month.

Mr. and Mrs. R. Earl Burgess left last week for a trip to New York.

Miss Fleming, of Truro, is the guest of her friend, Miss Beatrice Franklin.

AMHERST.

Amherst, N. S., April 11.—Mr. Dan F. Ives is visiting in part in Mr. and Mrs. Arthur Ives at Picton (N. S.).

Mrs. Jane Quigley was at home to a large number of her friends at the residence of her son, N. D. Quigley, on Friday, it being the occasion of her 64th birthday.

Mr. and Mrs. Benjamin Atkinson, of Sydney (C. B.), are visiting Mr. Albert Townshend, Belmont street.

Mrs. Elizabeth Cadman is the guest of Mrs. W. F. Donkin.

A very pleasant event took place Saturday evening at the residence of Mr. and Mrs. Joseph Bickerton, Eddy street, when their daughter, Miss Cassis, was united in marriage to H. A. Estabrooke of Sackville (N. B.). The bride was attended by Miss Nora Brewster, Mr. William H. Bickerton, brother of the bride, being best man. The bride was neatly groomed in white silk and carried a shower bouquet of roses.

Mr. John Elderton left this week for Calgary (Alta.), where he has secured a good situation.

Mr. Austin Pipes left on Monday for the Rocky Mountains.

Mrs. Anne Wood, of Annapolis, who has been spending the winter with her parents, Mr. and Mrs. Chas. Chappell, at Tidnish, has returned home.

Mrs. James Downes of River Hebert, visited her parents, Mr. and Mrs. Joseph Bickerton, last week.

Charles Urquhart and Raymond McDougall have gone to Los Angeles (Cal.).

Mr. Bert McDonald spent Sunday in St. John.

Mrs. Ward has returned to her home in Montreal after a visit to friends in town.

The Art Culture Club met with Mrs. C. A. Lasky Monday evening.

Mrs. F. A. Can spent Sunday in Sackville (N. B.).

Edgar Rodger, Robert Pugsley and Walter B. Tennant left Saturday to attend the automobile show in Montreal.

Miss Fannie C. White is visiting friends in Moncton.

Miss Jennie Fawcett spent Sunday in Sackville (N. B.).

Mrs. Olive, of Bridgewater (N. S.), is visiting her sister, Mrs. Fraser.

Miss Vera Townshend has returned from a visit to Acorn.

Mr. McKim and family, of St. George (N. B.), have moved to Amherst and taken up their residence in Belmont street.

Mr. Percy Phelan, of Sackville (N. B.), and Miss Letta Pickrene, of Amherst, were united in marriage by Rev. S. W. Cummings at the parsonage, April 12.

At the annual meeting of the Ramblers Athletic Club C. R. Smith, K. C., was

elected honorary president for the coming year.

Mrs. W. J. Fisher is visiting at her old home in Steinbach.

Walter Peutz, of R. C. Fuller Co., has returned from a visit to his home in Hantsport.

Miss Sadie Trenholm spent Sunday in Point de Bute.

Miss May Davis entertained a number of her friends at dancing and whist on Friday evening.

Page Porteous has accepted a position in Montreal and left for that city this week.

Mr. J. E. McVicar, accompanied his sister to Halifax on Friday.

George W. Cooke returned last week from a trip to Boston, Toronto and other cities.

Vaughan E. Black, of this town, has successfully passed the medical exams at McGill University, taking third place in honors in a class of 82.

A very quiet home wedding took place at the residence of the bride's parents, Dr. and Mrs. H. V. Hillcoat, Victoria street, when their eldest daughter, Miss Helen Gertrude, was united to Dr. C. H. McNutt, of Liverpool (N. S.). The ceremony was performed by the Rev. Mr. Cresswell, rector of the church, in the presence of the immediate relatives of the contracting parties. The bride was becomingly gowned in a blue travelling suit. Immediately after the ceremony the happy couple left for St. John. Mrs. McNutt will be greatly missed in Amherst.

A quiet wedding took place in St. John last week when Miss Mabel Porteous, daughter of Mr. and Mrs. W. S. Porteous of Amherst, was united in marriage to Mr. M. Conway, formerly of the I. C. R. service here, but now in the employ of the C. P. R. in St. John. The young couple are residing in Hampton (N. B.).

Percy Black, who has been spending some days in Amherst, has returned to Wallace.

Mr. and Mrs. Burton Smith and two children left Tuesday for Victoria (B.C.), where they intend to locate.

Miss Maude McLellan, who has been visiting friends in Halifax returned home on Wednesday.

Mr. A. J. Murphy, of Dorchester, is visiting her sister, Mrs. George Gallant.

Mr. and Mrs. James Rodger and daughter, Marion, have returned from Boston (Mass.).

Miss Ida Tennant left Tuesday for New York, where she intends taking a course in nursing.

Mrs. John B. Phelan and daughter left this week for Boston, where they will reside permanently.

Miss McLellan, of the P. O. staff, Truro, is temporarily supplying in the office here.

Mr. and Mrs. Davis and family have returned to their home in Campbellton.

Miss Elsie Tuller has returned from Moncton.

Miss Emily Roach, of Nappan, leaves tomorrow for Portland, Maine, from which port she will sail in the steamer Kensington for England.

Mr. N. Curry and family have returned from a three weeks trip to Bermuda.

Amherst, N. S., April 14.—By a vote of four to one the rate-payers yesterday voted in favor of widening Union Road. This is a narrow street running between Havelock and Church streets, parallel with the main business street of the town and has for past years been occupied by a poor class of buildings which have been an eyesore to the town. It is understood that some good business buildings will be erected and it will become an important business centre. The vote stood 429 for, to 115 against.

A large party went from Sackville and Westwoodland last night to grapple for the body of the late Frank Fillmore, the victim of Thursday's accident.

Amherst, April 15.—The following elders were elected at Knox Presbyterian church yesterday: Mr. Murray, Alex. Sutherland, Andrew Munro, Neil Morrison and James Hogan.

Major Lowther is again confined to his home through illness.

The funeral of the late Mrs. John D. Ross was held yesterday and notwithstanding the severe weather was very largely attended.

Rev. George Hood, pastor of St. Stephen's church, conducted the funeral.

M. B. Vail, of St. John's (N.B.), who has been here supervising the rebuilding of his shop on LaPach street, recently de returned to his home.

Saturday, Mr. Vail informed our correspondent that he expected to return to his home on the corner of Victoria and Eddy streets. This building, which will be brick and stone, will be four stories high and will be one of the finest business blocks in the town. It will have several applications for portions of the building.

A large laundry, which was recently burned, has just returned from the United States, where it was purchased by the proprietor for his new laundry which he expects to have finished this week.

Mrs. Fride, wife of Mr. J. F. Fride, manager of the Amherst Boot & Shoe Company, is seriously ill but little hopes are entertained for her recovery.

HOPEWELL CAPE

Hopewell Cape, April 15.—Arthur C. Moore, station and express agent at Albert, left on May 1 for the Canadian west. Edmund M. Sherwood, station and express agent at Hillsboro, will succeed him, and Frank H. Barnett will take Mr. Sherwood's place at Hillsboro and Hopedale.

Mr. White, of Sussex, succeeds Mr. Barnett at Hillsboro and will be in his new position today.

The Hillsboro Hardware Flooring Company is located, will hold its first meeting at Hillsboro on the 17th inst. at 3 p. m. to organize a new company and elect directors.

John L. Peck has a crew at work on Main street, where he is building a large building to be used as a department store and other purposes.

Jordan Stevens has lumber on the spot for a large business establishment on Main street, opposite, which will be occupied by John H. Herrie.

John A. M. Harvey is building a large three-story tenement house on Academy street.

Alexander McDonald, of Hillsboro, died Friday and the funeral took place on Sunday. Interment was made at the Roman Catholic chapel at the Albert Mines.

The deceased was about seventy years of age and was well known as an expert miner and had been employed quite extensively in locating mining properties throughout the maritime provinces by prominent investors and capitalists. A widow and two sons survive.

HAVELOCK

Havelock, April 15.—The people here have had a serious time with measles. Gullford died last week and others are very low. Several grown people whom the measles did not happen to locate when young are now having the measles all over again.

Ross and Harry Alward and Fred Hicks, of Havelock, went to Lunenburg and have secured employment there.

The Havelock Mineral Springs Company has begun work with Chip H. Keith in charge. Mr. Keith has secured the services of Miss Murray, of Moncton, as bookkeeper and stenographer.

Miss Ethel Koth, now of Pittsburg, is visiting her sister, Jennie, who is quite ill but who has improved somewhat during the last week. Ethel, who is a professional nurse in Pittsburg, must return to her work in a few days.

Miss Alice S. Alward has taken the school at Havelock for this term after which she will return to Wolfville to complete her studies.

Mrs. T. Corey returned home on Saturday after a pleasant and lengthy visit among relatives and friends in Amherst.

Miss Nell Keith, after visiting relatives and friends here for a few weeks, including her old home at Upper Ridge, has returned to Moncton.

Miss Stella Alward will probably remain in charge of the school at Upper Ridge another year.

Capt. James Ross will be in command of the river steamer Springfield this season. It is said the Springfield will run on the Belloc route in opposition to the Champlain. Stanley McMullen, formerly of the Elaine, will act as purser on the Champlain.